

## **Minutes of the Taunton Conservation Commission November 14, 2016**

Present: Chair Steven Turner, Vice Chair Neil Kelly, Commissioners Marla Isaac, Debra Botelio, Ernest Enos, Luis Freitas, and Richard Enos.

Motion to go out of order to hear Continued Violation 165 Hart Street, DB, second LF, so voted.

Mr. Telsi is not coming to the meeting tonight. ST recommends contacting Attorney Buffington, City Solicitor, and speak with him regarding this matter, the fines, and the cease and desist order. Motion to go forward with the fines, continue cease and desist order as is, contact Attorney Buffington regarding this property and work with him on this, DB, second MI, so voted.

Motion to go on to public meetings, DB, second MI, so voted.

### **Public Meeting**

- 1. Briggs & Highland Street, St. Germain, (RDA), DSE-1143** Field report states that this filing is for the construction of a swale in association with the construction of a detention basin for a proposed subdivision located on a lot between Briggs Street and Highland Street. All work except for the swale is outside conservation jurisdiction. The wetland was delineated by Earth Services Corp. on April 27, 2016. Cobb Brook is depicted on the plan but all work is outside the 200 foot riverfront area. MR is in agreement with the placement of the flags located on an adjacent property. Cobb Brook is also accurately displayed. All work is outside the riverfront area and grading comes to within 60 feet of the wetland. A siltation barrier is shown on the plan and is considered the limit of work. In construction the swale, an endwall and manhole structure will be removed. There is an existing drainage easement recorded at the Registry of Deeds (Book 1693, Page 823) dated December 9, 1975. The location of the swale is within this easement. The work as presented will not negatively impact the resource areas, therefore MR recommends that the TCC approve this project and issue a negative determination to include the attached special conditions. MR also recommends that the TCC approve the wetland delineation, flags ESC1 to ESC10, for reference purposes only. Present Andrew Hopgood and Mat St. Germain. Motion to approve with conditions 1, 2, 3, 4, 18, and 19, NK, second LF, so voted.
- 2. 1315 South Precinct Street, Denison, (RDA), DSE-1144** Field report states that this filing is for the construction of a 25' x 30' garage within the 100 foot buffer zone of a BVW. This wetland was delineated by SFG Associates on 10/7/16. The wetland is well defined as the land drops steeply to the edge of the wetland. MR is in agreement with the placement of the flags which define the toe of slope. A siltation barrier is depicted at least 62 feet from the wetland and will be the limit of work. Grading will fall within 65 feet of the wetland while the edge of the garage

will be 73 feet away. The work as depicted will not negatively impact the wetland system, therefore MR recommends that the TCC approve this project and issue a negative determination to include the attached special conditions. MR also recommends that the Commission approve the delineation, flags 1 to 10 for reference purposes only. Brad Fitzgerald present. Motion to issue a negative determination with conditions 1, 2, 3, 4, 18, and 19, DB, second NK, so voted.

### **Continued Public Hearing**

1. **110 County Street, ACOE, (NOI), SE73-2676** Shane and Michael present for the applicant. DB read the City Engineer's letter and made it part of the record. They are not replicating, plan to pay dues. MR said we do not do that in Massachusetts. Kim Barteaux who could not be present tonight, figured the fees for the applicant. MR said they can get by with a 1:1 which wouldn't be a large area. Shane said no there is not enough area to replicate on site due to the proposed plans. Motion to continue to December 12, 2016, revised plans be submitted 5 days prior to meeting, speak with the City Engineer regarding his concerns and look into replication, DB, second MI, so voted.

Motion to revert back to the regular order of business, NK, second DB, so voted.

### **Certificate of Compliance**

1. **60 Hodges Avenue, MA Div. of Capital Asset Mgmt. & Maint., (COC), SE73-2607** Field report states that this project was for the demolition of two buildings on the northeast side of the Taunton State Hospital Complex. The Howland Building was originally scheduled to be razed under DEP filing #SE73-2379 but was not done by the time the COC was issued as the building was still in use. All work has been completed in significant compliance to the order of conditions issued on 3/17/15. All areas are stabilized and there is no indication of siltation or instability within the riverfront area. MR recommends that the TCC issue a COC for this project. Motion to approve, NK, second DB, so voted.
2. **75 Joshua Lane, Silvia, (COC), SE73-2049** Field report states that this filing was for the construction of a driveway and associated grading in connection with the construction of a single family home at 75 Joshua Lane. All work has been completed in significant compliance to the order of conditions issued on 4/29/05. All lawn areas are stable and there is no indication of sedimentation into the adjacent wetland area, therefore MR recommends that the TCC issue a COC for this project. Motion to approve, DB, second NK, so voted.
3. **85 Briggs Street, Hopgood/Clarewood Homes, Inc., (COC), SE73-2608** Field report states that this project was for the construction of a single family home with deck, utilities, and associated grading on the north side of Briggs Street. This lot straddles the original lot line between lot 77-

361 and 77-362 and a plan showing both original lots with proposed new lots is in the file for clarification of the location. The new map and lot number is 77-712. All work has been completed in significant compliance to the order of conditions issued on 12/15/15. The lawn area is growing and stable and the siltation barrier is still up. There is no indication of siltation into the adjacent wetland. MR recommends that the TCC issue a COC for this project. Motion to approve and notify them that they can remove the siltation barrier, DB, second NK, so voted.

4. **Pioneer Way (24-125), Martignetti Companies, (COC), SE73-2608** Field report states that this project was for the construction of a 720,785 square foot distribution facility with associated utilities and grading, and the acquisition of #480 John Hancock Road (the dog facility) in order to relocate and replace Pioneer Way with a private drive extending to John Hancock Road. This involved abandoning Pioneer Way, moving the proposed driveway to the north, thus moving it farther from the BVW to the south. The construction did not involve moving or changing the existing pipe that currently runs under the roadway and building. The existing dog training facility was razed with lawn and trees replacing the building site. The old Pioneer Way layout was loamed, seeded and landscaped, and approximately 20,000 square feet of impervious driveway surface within the buffer zone was converted to pervious surface. All stormwater management structures are stable, vegetated, and working within required parameters. All landscaping and lawn areas are stable as are the slopes along the fenced areas and detention basins, and the siltation barriers remain along the limit of work. There is no indication of disturbance within the wetlands. MR recommends that the TCC issue a COC for this project. Motion to approve, DB, second NK, so voted.

#### **Other Business**

1. **Table minutes until next meeting.**
2. **2017 Meeting Schedule Discussion.** Motion to continue to 12/12/16, DB, second NK, so voted.
3. **Contact City solicitor tomorrow (11/15/16),** ask him what to do regarding 165R Hart Street, enforce fines, continue with cease and desist, email from owner be part of record, could TCC put a lien on the property because TCC fears he will sell and not correct problems out there.
4. **24 ½ Ingell Street.** DEP letter.

**Motion to adjourn, DB, second NK, so voted. Meeting ended at 7:45p.m.**